

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No.6382/2005

(Single Bench : Hon'ble Shri Justice S.R.Nayak, Chief Justice)

Petitioner: Ghanshyam Kalar, S/o Shri Nanhuaram
Kalar, aged about 54 years, R/o Village
Than-Khamariya, Tahsil-Shaja, District
Durg (C.G.)

Verus

Respondents:

- 1) State of Chhattisgarh, Through
Secretary, Department of Forests
D.K.S.Bhawan, Raipur (C.G.)
- 2) District Forest Officer,
Durg (C.G.)
- 3) D.I.G. Central Empowered
Committee, S-23, Paryawaran
Bhawan, C.G.O. Complex, Lodhi Road,
New Delhi.

Present: Shri Rajeev Shrivastava, counsel for the Petitioner.
Shri Yashwant Singh Thakur, G.A. for the State.
Shri Goutam Bhaduri, counsel for respondent No.3.

ORAL ORDER
(Passed on 19.12.2005)

Heard learned counsel for the parties.

2. The petitioner is a licensee for running a saw-mill granted to him by respondent No.2 under the provisions of Chhattisgarh Kashtha Chiran (Viniyamam) Adhiniyam, 1984 (for short 'Adhiniyam 1984'). On 30.10.2003, the petitioner has moved an application before respondent No.2 for permission to install one trolley machine (Aada Bensa), which is a supplemental to the main machine installed in the saw-mill. There was delay in disposal of this application. In the circumstance, the petitioner filed a writ petition No.2118/2004 which was disposed of by this Court on 25.08.2004 with a direction to second respondent to decide the petitioner's application within a

period of 30 days from the date of receipt of the order in accordance with law.

3. The second respondent after receipt of the above order of this Court, vide his letter dated 24.09.2004, informed the petitioner that there is complete ban for grant of licence to install trolley machine, as per instructions contained in the circular dated 25.08.2000 issued by the Chief Forest Conservator, Bhopal and in that view of the matter the petitioner should move an application to the D.I.G. Central Empowered Committee, respondent No.3 herein. According to the petitioner, on 11.10.2004, he submitted an application to respondent No.3. The petitioner has enclosed a copy of his application dated 11.10.2004 as Annexure P/8. The grievance of the petitioner is that till date the third respondent has not considered and disposed of his application dated 11.10.2004.

4. It is expected of third respondent that he should consider and dispose of the application of the petitioner within a reasonable time. In that view of the matter, I think that ends of justice would be met by directing the respondent No.3 to consider and dispose of the application of the petitioner within a reasonable time-frame. Accordingly, I dispose of this writ petition directing the third respondent to consider and dispose of the application of the petitioner dated 11.10.2004, if not already done, within a period of two months from the date receipt of this order. There shall be no order as to costs.

Sd/-
Chief Justice